

ACTS OF INCORPORATION

AND

BY-LAWS AND ORDERS

OF THE

Massachusetts Medical Society.

BOSTON:
PRESS OF JOHN PUTNAM.
1837.

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COMMONWEALTH OF MASSACHUSETTS.

In the Year of our Lord 1781.

An Act to incorporate certain Physicians, by the name of 'The Massachusetts Medical Society.'

As health is essentially necessary to the happiness of society; and as its preservation or recovery is closely connected with the knowledge of the animal economy, and of the properties and effects of medicines; and as the benefit of medical institutions, formed on liberal principles, and encouraged by the patronage of the law, is universally acknowledged,—

1. *Be it therefore enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That Nathaniel Walker Appleton, William Baylies, Benjamin Curtis, Samuel Danforth, Aaron Dexter, Shirley Erving, John Frink, Joseph Gardner, Samuel Holton, Edward Augustus Holyoke, Ebenezer Hunt, Charles Jarvis, Thomas Kast, Giles Crouch Kellogg, John Lynn, James Lloyd, Joseph Orne, James Pecker, Oliver Prescott, Charles Pyncheon, Isaac Rand, Isaac Rand, Jun., Micajah Sawyer, John Sprague, Charles*

Stockbridge, John Barnard Sweet, Cotton Tufts, John Warren, Thomas Welch, Joseph Whipple, and William Whiting, be, and they hereby are, formed into, constituted, and made a body politic and corporate, by the name of 'THE MASSACHUSETTS MEDICAL SOCIETY;' and that they and their successors, and such other persons as shall be elected in the manner hereafter mentioned, shall be and continue a body politic and corporate, by the same name, forever.

2. *And be it enacted by the authority aforesaid*, That the fellows of said society may, from time to time, elect a president, vice president, and secretary, with other officers, as they shall judge necessary and convenient; and they, the fellows of said society, shall have full power and authority, from time to time, to determine and establish the names, number, and duty of their several officers, and the tenure or estate they shall respectively have in their offices; and also to authorize and empower their president, or some other officer, to administer such oaths to such officers as they, the fellows of said society, shall appoint and determine for the well ordering and good government of said society, provided the same be not repugnant to the laws of this commonwealth.

3. *And be it enacted by the authority aforesaid*, That the fellows of said society shall have one common seal, and power to break, change, and renew the same at their pleasure.

4. *And be it enacted by the authority aforesaid*, That they, the fellows of said society, may sue and be sued in all actions, real, personal, or mixed, and

prosecute and defend the same unto final judgment and execution, by the name of *The Massachusetts Medical Society*.

5. *And be it enacted by the authority aforesaid,* That the fellows of said society may, from time to time, elect such persons to be fellows thereof, as they shall judge proper ; and that they, the fellows of said society, shall have power to suspend, expel, or disfranchise any fellows of said society.

6. *And be it enacted by the authority aforesaid,* That the fellows of said society shall have full power and authority to make and enact such rules and by-laws, for the better government of said society, as are not repugnant to the laws of this commonwealth ; and to annex reasonable fines and penalties to the breach of them, not exceeding the sum of *twenty pounds*, to be sued for and recovered by said society, and to their own use, in any court of record within this commonwealth proper to try the same ; and also to establish the time and manner of convening the fellows of said society ; and also to determine the number of fellows that shall be present to constitute a meeting of said society ; and also, that the number of said society, who are inhabitants of this commonwealth, shall not, at any one time, be more than seventy, nor less than ten ; and that their meetings shall be held in the town of *Boston*, or such other place within this commonwealth as a majority of the members present, in a legal meeting, shall judge most fit and convenient.

And whereas it is clearly of importance that a just discrimination should be made between such as are

duly educated and properly qualified for the duties of their profession, and those who may ignorantly and wickedly administer medicine, whereby the health and lives of many valuable individuals may be endangered, or perhaps lost to the community,—

7. *Be it therefore enacted by the authority aforesaid,* That the president and fellows of said society, or such other of their officers or fellows as they shall appoint, shall have full power and authority to examine all candidates for the practice of physic and surgery (who shall offer themselves for examination) respecting their skill in their profession; and if, upon such examination, the said candidates shall be found skilled in their profession, and fitted for the practice of it, they shall receive the approbation of the society, in letters testimonial of such examination, under the seal of the said society, signed by the president, or such other person or persons as shall be appointed for that purpose.

8. *And be it further enacted by the authority aforesaid,* That if the said president, and such other person or persons so elected and appointed for the purpose of examining candidates as aforesaid, shall obstinately refuse to examine any candidate so offering himself for examination as aforesaid, each and every such person, so elected and appointed as aforesaid, shall be subject to a fine of *one hundred pounds*, to be recovered by the said candidate, and to his own use, in any court within this commonwealth proper to try the same.

9. *And be it further enacted by the authority aforesaid,* That the fellows of said society may, and shall

forever be deemed capable in law, of having, holding, and taking in fee simple, or any less estate by gift, grant, or devise, or otherwise, any land, tenement, or other estate, real or personal; *provided* that the annual income of the whole real estate that may be given, granted or devised to, or purchased by, the said society, shall not exceed the sum of *two hundred pounds*, and the annual income or interest of said personal estate shall not exceed the sum of *six hundred pounds*; all the sums mentioned in this act to be valued in silver at *six shillings and eight pence* per ounce; and the annual income or interest of the said real and personal estate, together with the fines and penalties paid to said society, or recovered by them, shall be appropriated to such purposes as are consistent with the end and design of the institution of said society, and as the fellows thereof shall determine.

10. *And be it further enacted*, That the first meeting of the said Medical Society shall be held in some convenient place in the town of *Boston*; and that *Edward Augustus Holyoke*, Esq. be, and he hereby is, authorized and directed to fix the time for holding the said meeting, and to notify the same to the fellows of said Medical Society.

[This act passed *November 1, 1781.*]

An Act in addition to an Act passed in the year of our Lord one thousand seven hundred and eighty-one, entitled 'An Act to incorporate certain Physicians, by the name of The Massachusetts Medical Society.'

Whereas some doubts have arisen with respect to the extent of the powers given to, and duties required of, the said society, by the act to which this is in addition, touching the examination of any candidates for the practice of physic and surgery, 'who shall offer themselves therefor, respecting their skill in their profession,' as well as with respect to the authority of the said society, to demand and receive a suitable compensation for their time, trouble, and expense, in examining candidates, and for the letters testimonial, which, by the said act, they are required to give to such as shall be approbated,—

For removing the said doubts,

1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, That it shall be the duty of the said Massachusetts Medical Society, in order more effectually to answer the designs of their institution, from time to time to describe and point out such a medical instruction, or education, as they shall judge requisite for candidates for the practice of physic and surgery, previous to their examination before them, or their officers appointed for said purpose, respecting their skill in their profession, and shall cause the same to be published in three newspapers, in three different counties within this commonwealth; and every candidate, examined and approved by the president and fellows of the said society, or such of their*

officers or fellows as they shall appoint, shall be held to pay such reasonable fees of office as shall be established by the said society, for the examination of candidates, and letters testimonial in favor of such as shall be approbated; and the treasurer of the said society, for the time being, shall have full power and authority to sue for and recover the same, in any court proper to try the same.

2. *And be it further enacted*, That the eighth enacting clause of the said incorporating act, making the president, or such other person or persons as shall be elected for the purpose of examining candidates, each and every of them, subject to a fine of *one hundred pounds*, in case of obstinate refusal to examine any candidate offering himself therefor, be, and it is hereby repealed.

3. *And be it further enacted*, That from and after passing this act, whenever the officers appointed for examining candidates for the practice of physic and surgery, shall obstinately and unreasonably refuse to examine such as may apply therefor, respecting their skill in their profession, the officers so refusing, shall be subject to a fine not exceeding *one hundred pounds*, nor less than *twenty pounds*, to be sued for and recovered by the candidate injured, and to his own use, in any court within this commonwealth, proper to try the same.

[This act passed *February 10, 1789.*]

An Act in addition to an Act entitled, 'An Act to incorporate certain Physicians, by the name of the Massachusetts Medical Society.'

Whereas the Act entitled 'An Act to incorporate certain Physicians by the name of The Massachusetts Medical Society,' has been found, in its operations, insufficient to effect the important and desirable purposes for which it was designed:

1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That the fellows, for the time being, of the said Massachusetts Medical Society, in any meeting or meetings, to be called and holden for the purpose, before the next annual meeting, shall have authority to elect into that corporation, and to be fellows thereof, such and so many suitable persons, being physicians or surgeons resident within this commonwealth, as they shall see fit; any thing in the act, to which this is in addition, to the contrary notwithstanding. *Provided,* That all persons so elected, shall, within one year after such election, subscribe the by-laws of the said society, or otherwise declare, in writing, their assent thereto, or such election shall be void.

2. *And be it further enacted,* That at the next annual meeting of the fellows of said society, and afterwards at every annual meeting thereof, there shall be chosen by ballot, in which any absent member may vote by his proxy, duly authorized in writing, so many counsellors as the said society shall, from time to time, judge necessary and expedient, who shall hold their offices for the year next ensuing their elec-

tion, and until another election of counsellors in their place; and the fellows, at their annual meetings, whenever such a number shall be present as the regulations of the society may require, may revise, alter, enlarge, and repeal, the by-laws of the said society, as the major part of the fellows present may see fit, and not otherwise.

3. *And be it further enacted*, That the counsellors of the said corporation, and their successors after them, shall assemble and convene, three times in the year, at such times and places as the by-laws of the said corporation shall hereafter direct. *Provided*, That the first meeting be within thirty days after the annual meeting of the said society; and the said counsellors shall assemble and convene at any other time, as the by-laws of the said corporation shall hereafter direct, and whenever notified to convene by their presiding officer; and the meeting of the said counsellors shall be held in the town of Boston, or as near thereto as may be; and at the said first meeting of the counsellors, after the annual meeting of the said society, the said counsellors shall proceed to appoint, from among themselves, a president and such other officers of the said corporation, as are and shall be required in the rules and by-laws thereof to be so appointed; likewise five examiners or censors, for the examination of all persons, who, having been students in medicine and surgery, agreeably to the regulations of the said society, shall offer themselves to be approved and licensed, as practising physicians and surgeons; and the said counsellors, at any of the three stated meetings of the same, and only at these

meetings, and after three months nomination of every candidate, and not otherwise, by a major vote of those present, may elect any suitable person or persons, to be a fellow or fellows of the said society.—*Provided*, That all practising physicians and surgeons, resident within this commonwealth, who shall be so elected, shall, within one year after such election, subscribe the by-laws of the said society, or otherwise declare, in writing, their assent to the same, or such election shall be void. And all persons, not practising physicians or surgeons, or not resident within this commonwealth, who shall be so elected, may be deemed honorary members of the said society, and, at any meeting of the said counsellors, they may fill any vacant office, and perform any other duties, as the by-laws of the said corporation shall direct.

4. *And be it further enacted*, That, for the purpose of examining candidates as aforesaid, three, at least, of the examiners or censors, who shall be appointed as aforesaid, shall be convened in the town of Boston, on the Thursday next preceding the annual meetings of the said society, and at such other times and places as the by-laws of the said society shall direct; and every candidate, who, upon examination, shall be approved by a majority of the said examiners, shall be entitled to letters testimonial of their approbation, and of their license, to such candidate, to become a practitioner in medicine or surgery, under the hands of the examiners consenting thereto; and to such letters testimonial, the seal of the said corporation shall be affixed, by the president or secretary, if any there shall be, with the signature of the

same; and every person, who shall receive the said letters testimonial, and such also as hereafter may be admitted to the degree of bachelor of medicine at Harvard University,* shall be entitled to the use of the libraries of the society, under such restrictions as the counsellors may direct; and after three years approved practice in medicine and surgery, and being of good moral character, and not otherwise, shall, upon application, and subscribing the by-laws as aforesaid, be admitted a member of the said corporation, while a resident practitioner of medicine or surgery within this commonwealth.

5. *And be it further enacted,* That the said counsellors, upon the application of any five members of the said society, may establish within such districts and portions of this commonwealth as they shall think expedient, subordinate societies, and meetings, to consist of the fellows of the said corporation residing within such districts respectively, wherein the communication of cases and experiments may be made, and the diffusion of knowledge in medicine and surgery may be encouraged and promoted; and the counsellors aforesaid, upon application from such subordinate societies, may appoint five examiners or censors, within such districts, who shall be authorized and empowered to examine such candidates for the practice of physic and surgery, as shall present themselves for such examination. And every candidate, who, upon examination, shall be approved by a

* The counsellors of the Massachusetts Medical Society consider the provisions of the act of 1803, relating to bachelor of medicine, at Harvard university, as applying also to doctor of medicine, as that degree is now substituted for the degree of bachelor conferred at that time.

majority of the examiners or censors aforesaid, shall be entitled to letters testimonial, in the same manner as is provided in the fourth section of this act. And the members of such subordinate societies shall be holden to report to the counsellors of the general society, all such cases as may be selected for their importance and utility; and the said subordinate societies shall be subject to the regulations of the general society, in all matters wherein the general society shall be concerned; and the said subordinate societies may appoint their own officers, and establish regulations for their particular government, not repugnant to the by-laws of the general society, and shall be capable to purchase, and receive by donation, books, philosophical and chirurgical instruments, or other personal property, and may hold and dispose of the same, exclusive of any authority of the general society.

6. *And be it further enacted*, That all matters and clauses, contained in the act aforesaid, to incorporate certain physicians by the name of the Massachusetts Medical Society, which are contrary to the purview of this act, shall be, and they hereby are, repealed.

7. *And be it further enacted*, That the fellows of the said corporation shall not be liable to be enrolled or mustered in the militia of this commonwealth.

[This act passed *March 8, 1803.*]

An act in addition to an Act, entitled, 'An Act in addition to an Act, entitled, an Act to incorporate certain Physicians, by the name of the Massachusetts Medical Society.'

SECTION 1. *Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same,* That so much of the fourth section of an Act passed on the eighth day of March, in the year of our Lord one thousand eight hundred and three, entitled 'An Act in addition to an Act, entitled an Act to incorporate certain Physicians, by the name of the Massachusetts Medical Society,' as requires that those who are authorized to claim admission into said society, shall have first passed at least three years in approved practice of medicine and surgery, and so much of the same section as entitles licentiates of the said society and bachelors of medicine at Harvard university to the use of the libraries of the society, be and the same are hereby repealed; the residue of the said section remaining in full force.

SECTION 2. *Be it further enacted,* That the Treasurer, for the time being, of the said Massachusetts Medical Society is hereby authorized to sue in the name of the said society, in an action of debt, before any court proper to try the issue, for such sums of money as may hereafter become due to said society from any person being, or who has heretofore been, or who shall hereafter become a fellow thereof, for the annual or other assessments of said society, or for penalties accruing under and by virtue of the by-laws and votes of said society, by declaring gener-

ally, against the defendant, as indebted to said society for the penalty accruing from the breach of any by-law thereof, or for a sum becoming due by virtue of any legal vote of said society, (as the case may be,) setting forth the substance only of such by-law or vote; and the said society shall thereupon recover judgment for so much debt or damage as they shall prove to be due, and no more.

[This act passed *March* 19, 1831.]

REVISED STATUTES.

PART I. CHAPTER XXII.

SECTION 2. The Counsellors of said society at their first meeting, in every year, after the annual meeting of the society, shall appoint not less than twenty censors or examiners, from among the fellows of said society, to wit: five in each of the districts mentioned in the following sections; and the five in each of said districts, respectively, shall constitute a separate board of censors.

SECTION 3. For the purpose aforesaid, the state shall be divided into four districts, to be entitled, respectively, the first, second, third and fourth medical districts; and the first medical district shall include the counties of Suffolk, Essex, Middlesex, Norfolk, Bristol, Plymouth, Barnstable, Duke's county, and Nantucket; the second district shall include the county of Worcester; the third district shall include the

counties of Franklin, Hampden, and Hampshire ; and the fourth district shall include the county of Berkshire ; the meetings of the censors shall be held in these districts, respectively, in such places, and at such stated periods, as the Counsellors of the society may direct, and the said Counsellors shall be authorized to subdivide or alter any of the said districts, and to make new districts and appoint censors therein, whenever the public good may seem to require it.

SECTION 4. The said censors, at their stated meetings in each of the said districts, shall examine all who shall offer themselves to be approved as practising physicians or surgeons, who have received such an education, as it is or may be, from time to time, prescribed by the regulations of said society, and who are duly qualified as candidates for such examination ; and every candidate who shall be approved by the censors, shall be entitled to letters testimonial, under their hands, of their approbation and of their license to practise physic or surgery, or both ; which letters shall also be sealed with the seal of the society, and shall be signed by the president and secretary thereof.

SECTION 5. If the said censors shall unreasonably refuse to examine any person, who is duly qualified for such examination, they shall severally forfeit a sum not exceeding four hundred dollars, to be recovered by such candidate to his own use.

SECTION 6. No person shall be entitled to his letters of license, until he shall pay such reasonable fees, as shall be established by the society to be paid for such examination and letters of license.

SECTION 7. When any person who has been educated to the practice of physic or surgery, in any place out of this state, and who has come into this state to pursue the same, shall present himself to either of the said boards of censors as a candidate for their approbation or license, if they are satisfied that he has received an education equivalent to that prescribed by the regulations, which have been or may be established by said society, and that he has been duly examined and approved by some competent authority, they may license him to practise physic or surgery, or both, as the case may be, without subjecting him to a new examination.

SECTION 8. Every person who has been licensed to practise physic or surgery, since the year one thousand eight hundred and eighteen, or who shall hereafter be so licensed, shall deposite a copy of his license with the clerk of the town, in which such licentiate may reside; and the said clerk shall file in his office, such copy attested by him, with his certificate thereon of the time when the same was so deposited; for which he shall receive from the licentiate the sum of fifty cents.

SECTION 9. Any physician or surgeon, duly qualified according to the law of this Commonwealth, or any medical student, under the authority of any such physician may have in his possession human dead bodies, or the parts thereof, for the purpose of anatomical inquiry or instruction.

[An Act in addition to an Act to incorporate the Berkshire Medical Institution.]

Be it enacted by the Senate and House of Representatives, in General Court assembled, and by the authority of the same, as follows :

SECTION 1. All medical degrees conferred upon the Students in the Medical Institution, may be conferred by the President, Trustees and Faculty, under the same rules and restrictions as are adopted and recognized, in conferring degrees of the same nature by Harvard College.

SECTION 2. Any person who shall be graduated a doctor in medicine, in the Berkshire Medical Institution, shall be entitled to all the rights, privileges, and immunities granted to the medical graduates of Harvard College.

SECTION 3. There shall be a board of Overseers of the said Berkshire Medical Institution, which shall consist of the Trustees of the said Institution, the President and Secretaries of the Massachusetts Medical Society, the Senators of the Commonwealth from the four Western districts thereof, for the time, *ex officio*, and the following persons and their successors to be chosen as hereinafter provided, to wit, *Edward A. Newton, Julius Rockwell, and Robert Campbell* of Pittsfield, *Charles Sedgwick* and *George I. Tucker* of Lenox, *Henry L. Sabin* of Williamstown, *Asa G. Welch* of Lee, *James C. Alvord* of Greenfield, *Thomas Longley* of Hawley, *Solomon Reed* of Rowe, *Elisha Leffingwell* of Montague, *Joseph H. Flint* and *Elisha Mather* of Northampton, *Elisha*

Edwards of Southampton, *Gardiner Dorrance* of Amherst, *George Ashmun* of Springfield, and *William G. Bates* of Westfield ; which board shall meet each year at the Annual Commencement of the said Institution, and at such other times, and upon such notice as they may prescribe, and ten members of said board shall constitute a quorum.

SECTION 4. The said board of Overseers shall have the same power and authority in relation to said Institution as belong to the Overseers of Harvard College in relation to the said College; and any vacancy that may occur therein, by the death or resignation of members, not designated by their office, shall be filled at any legal meeting thereof by the board; provided, that in such election, the Trustees of said Institution shall not be entitled to vote.

SECTION 5. The Legislature shall have the power at any time to alter or repeal this Act.

SECTION 6. An Act in addition to "an Act regulating the practice of Physic and Surgery," approved by the Governor on the twenty-first day of February, in the year one thousand eight hundred and twenty-four, is hereby repealed.

[This Act passed *April 1, 1837.*]

BY-LAWS

OF THE

MASSACHUSETTS MEDICAL SOCIETY.

I. A meeting of the fellows of this so-^{Annual meet-}
ciety shall be held on the last Wednesday in ing.
May, annually, at ten o'clock, A. M., in
the city of Boston, if practicable, and at
such place as the president may appoint.
At any such meeting, ten fellows shall con-
stitute a quorum for the transaction of busi-
ness. Notice of the annual meeting shall ^{Notice to be}
be given in two public papers, printed at given.
Boston, at least fourteen days previously.

II. At the annual meeting of the fellows ^{Order of busi-}
the following order shall be regarded in the ^{ness at annual}
transaction of business: meeting.

1. The proceedings of the last annual
meeting shall be read by the recording sec-
retary; who shall also lay before the so-
ciety the records of the transactions of the
counsellors in the year preceding, and shall
report the names of those who have become

fellows or honorary members of this society during that time.

2. The counsellors shall be elected from among the fellows of the society. It shall be determined, by a vote of the society, what number of counsellors shall be elected for the ensuing year, in each department of the commonwealth. For this purpose the commonwealth shall be divided into ten departments, viz., the first department to consist of the county of Suffolk.

The second,	Essex.
“ third,	Middlesex.
“ fourth,	Worcester.
“ fifth,	Hampshire, Franklin and Hampden.
“ sixth,	Berkshire.
“ seventh,	Norfolk.
“ eighth,	Plymouth.
“ ninth,	Bristol.
“ tenth,	Barnstable, Duke’s coun- ty and Nantucket.

3. Reports of Committees shall be called for by the president.

4. Attention shall be given to any proposals of alterations in the by-laws by the counsellors or by any fellow of the society. All such proposals shall be stated in writing. Except when the society first decide by their vote that the matter is urgent, alterations proposed by a fellow shall be referred

to the counsellors, and shall not be acted upon until presented anew by them.

5. Attention shall be given to such scientific communications as the counsellors may have ordered to be laid before the society.

6. Any propositions or suggestions, which may be thought conducive to the welfare of the society, or to the general interests of medical science, may be brought forward by any fellow. Upon such propositions or suggestions, the society shall decide by vote whether to engage in the consideration of the same.

7. The president shall call upon the person appointed for that purpose to deliver the annual discourse. This discourse shall be called for at one o'clock, P. M., and if the other business be not concluded at that time, it may then be suspended until the discourse has been delivered.

III. Every fellow of the society shall contribute annually three dollars to the funds, and pay the same to the Treasurer. Assessment.

IV. Whenever the assessment of any fellow is not paid at the annual meeting of the society, it shall be the duty of the treasurer to collect the same as early thereafter as may be; always, if practicable, within the year. If it shall be necessary in any Neglect in paying assessment.

case, he shall take such legal measures to compel payment as the counsellors shall direct.

V. No fellow shall withdraw himself from the society, or resign his fellowship, while a practitioner of medicine or surgery within this commonwealth, without the permission of the counsellors. The counsellors shall give this permission to any fellow who applies for the same in writing, after he has arrived at the age of sixty years. They may give this permission to any other fellow who applies for the same, and gives his reasons in writing, if they deem those reasons to be satisfactory.

VI. Those fellows who have resigned the fellowship of this society with the permission of the counsellors, shall, while living, be distinguished in the printed list of the society by a peculiar mark; they shall also be entitled to all the privileges of the fellows, and shall conform to all the requirements of the society, and be subject to all its penalties, except that they shall not be liable to assessments, nor shall they be bound to accept any office in the society.

VII. Any fellow may be expelled from the society, or having resigned his fellowship, may be deprived of his privileges, by

a vote of two-thirds of the fellows present at any annual meeting, upon charges of the following description ; provided the charge or charges against him have first been considered by the counsellors, and are brought forward by them, or been made before the society at a preceding annual meeting, and provided he has had opportunity given him to lay before the society a refutation of the charge or charges so made, or a defence of his conduct in the premises, viz.

1st. For any gross and notorious immorality or infamous crime under the laws of the land.

2d. For any attempt to overturn or destroy the society.

3d. For the breach of any by-laws of the society for which expulsion is made the penalty.

4th. For furnishing to any person a certificate in respect to his character and studies as a student of medicine, if the same be proved to be false, and shall tend to deceive the public, or the censors of this society.

VIII. Any person who is engaged in Consultation. the practice of medicine or surgery in this commonwealth, not being a fellow or licentiate of this society, nor a Doctor in medicine of Harvard University, or of the Berk-

shire Medical Institution, shall be deemed, by the fellows of this society, an irregular practitioner; likewise, any one, who has been expelled from this society, or who, after being permitted to resign his fellowship, has been deprived of his privileges, or who has withdrawn himself from the society without the permission of the counsellors, shall be deemed by the fellows of this society an irregular practitioner; and it shall be unlawful for any fellow of this society, in his professional capacity, to advise or consult with any such irregular practitioner, or in any way to abet or assist him as a practitioner of medicine or surgery. For any breach of this law, a fellow of this society shall be disqualified for one year from giving his vote at any meeting of the society and of the district society of which he may be a member; he shall also be liable to the censure and reprimand of the counsellors, and in aggravated cases to expulsion.

From and after this annual meeting, (1836,) persons entering on the practice of dental surgery shall be regarded like other practitioners of medicine or surgery, so that the eighth by-law shall be applied to them; provided, however, that the same shall not be applied to those persons who are already known as dentists.

IX. If any fellow of this society shall publicly advertise for sale any medicine, the composition of which he keeps a secret, or shall in like manner offer to cure any disease by any such secret medicine, he shall be liable to expulsion, or to such other penalty as the society, at their annual meeting, may think proper to inflict.

X. There shall be three stated meetings of the counsellors annually. The first shall be on the day next following the annual meeting of the society, in the place of such meeting, or as near thereto as may be, at ten o'clock, A. M. The second shall be on the first Wednesday of October, and the third on the first Wednesday of February, at such hour and place as the president shall appoint. Notice of such meeting shall be given in two public papers printed in the city of Boston, at least fourteen days previously, in each instance.

XI. The president shall call a special meeting of the counsellors, whenever he shall deem it expedient, or whenever five of the counsellors shall request it in writing. The same notice shall be given of a special meeting as is required for a stated meeting; except that in any peculiar case not admitting delay, the president, with the consent of five counsellors, may call a special meeting

of the counsellors at such notice as the circumstances may permit.

Adjournment
of meeting of
counsellors.

XII. Any meeting of the counsellors may be continued by adjournment by a vote of the major part of the counsellors present; and in all meetings of the counsellors, nine shall be present to constitute a quorum for the transaction of business; but a smaller number may adjourn the meeting to any day within one week.

Quorum.

Officers to be
elected.

XIII. At the first stated meeting of the counsellors every year, they shall choose by ballot from among all the persons elected counsellors, the following officers of the society, viz: a president, vice-president, corresponding secretary, recording secretary, treasurer, and librarian; they shall, at the same meeting, choose by ballot from among the fellows of the society, five censors for the society at large and the first medical district, and five for each of the other medical districts, as designated in the act of the commonwealth of February 19, 1819, entitled An Act in addition to an Act, entitled 'An Act regulating the practice of Physic and Surgery;' and all officers so chosen shall hold their respective offices for the ensuing year, and until others are chosen in their stead. A fellow elected as censor, shall not be permitted to decline that office

without the consent of the counsellors, except the president and vice-president, and those who have previously sustained those offices.

XIV. Nominations of candidates for election as fellows or honorary members of the society, shall be made to the counsellors by one or more of the fellows; but no person resident within the limits of any established district society, shall be nominated by any one not belonging to that district. The counsellors shall, at every stated meeting, examine and act upon the list of nominations, if any such there be. Every candidate for election as fellow or honorary member, shall have been on nomination at least three months before he can be balloted for.

XV. Every person elected and admitted a fellow of this society, shall be entitled, on application to the recording secretary, to a diploma, in the form following, viz.

Societas Medica Massachusettensis.

Omnibus ad quos hæc pervenerint salutem. Quum Reipublicæ Massachusettensis Summa Auctoritas Societati Medicæ Massachusettensis jus et privilegium concessit, ut medicinæ Cultores, qui artem suam fideliter ediscendo, vel recte exerci-

tando, famam honestam consecuti sunt; illos eligerent et sibi socios adjungerent: Notum esto; quod his propositis exsequendis, Consilarii Societatis Medicæ Massachusettensis Socium acceperunt in oppido comitatu habitantem, virum vitæ integerrimum, artisque medendi peritissimum, qui suis et auxilio et decori semper fuit; et quem omnibus honoribus et privilegiis Societatis dignissimum judicaverunt.

Quorum in testimonium, Sigillum Societatis affigendum dedi, nomenque meum apposui, Bostoniæ, Die Mensis Annoque salutis humanæ, millesimo octingentesimo et

PRÆSES.

Attestante,

à Secretis.

List of books
to be studied.

XVI. It shall be the duty of the counsellors, once in every three years at least, to specify such authors in anatomy, physiology, chemistry, materia medica, midwifery, and the theory and practice of medicine and surgery, as they shall judge proper and necessary to be studied by medical and surgical pupils, previously to, and to qualify them for, an examination before the censors; and they shall, as the law directs, cause this specification to be published in three newspapers, in three different counties, and in at least two papers in the city of Boston.

XVII. All communications relative to Scientific communications. scientific subjects shall be received and considered by the counsellors, and may be disposed of by them as they may judge most expedient. They may propose to the fellows inquiries upon professional topics, and request communications upon the same. They may, from time to time, select and publish any communications or other papers of a professional character, and also such Publications and appropriations of money. proceedings of the society or of their own board, as they may judge proper, and they may appropriate money for such publications, or for other purposes, which they think conducive to the welfare of the society or of medical science, as far forth as the funds of the society will permit.

XVIII. The counsellors shall, at one of Annual discourse. their stated meetings, annually appoint a suitable person to read a discourse or dissertation, on such medical subject as the person so elected may choose, before the fellows of the society, at their annual meeting; and in case the person thus chosen should decline the service, the president with five counsellors may appoint another in his stead. A copy of every such discourse, when read, shall be deposited, by its author, with the corresponding secretary within three months after it has been delivered.

Duties of the
president.

XIX. The president shall call all meetings of the society and of the counsellors, shall preside at the same, shall regulate the debates, state and put questions; in case of an equal division on any question, have a casting vote, call for reports of committees, and enforce at these meetings an observance of the by-laws, rules and orders; and shall perform such other duties as may be assigned to him.

Duties of vice-
president.

XX. In the absence of the president at any meeting of the society, or of the counsellors, his duties shall devolve on the vice-president; and in the absence of both the president and vice-president, on the senior counsellor present. In case of the death, disability, absence from the commonwealth, or resignation of the president, all the duties of his office shall be performed by the vice-president.

Duties of cor-
responding
secretary.

XXI. The corresponding secretary shall have the charge and custody of all letters and communications transmitted to the society or the counsellors, and to him they should be addressed; he shall prepare and transmit answers to correspondents in such language and form as the society and counsellors respectively may direct; he may cause letters or communications written in any foreign

language to be translated into English ; he shall report, at each stated meeting of the counsellors, the names of all persons who have become fellows since the preceding stated meeting ; within a fortnight preceding the annual meeting of the society, he shall transmit to the treasurer of the society a correct list of all who have become fellows of the society in the year preceding ; and he shall perform such other duties as may be assigned to him.

XXII. The recording secretary shall keep the seal of the society, and he shall have charge and custody of the records of the society and of the counsellors and of all papers directed by them to be kept on his files ; he shall notify and attend the meetings of the society and of the counsellors, keep a fair record of their proceedings respectively, and read at the meetings of the society all such communications as the counsellors may direct to be made ; he shall receive and record the nominations for election into the society and lay them before the counsellors at each stated meeting ; he shall notify the chairman of every committee appointed by the society or counsellors, in each case stating the commission and the names of the committee ; and he shall perform such other duties as may be assigned to him.

Duties of recording secretary.

Interchange of
duties of sec-
retaries.

XXIII. If at any meeting of the society or the counsellors, one of the secretaries be absent and the other present, the latter shall perform the services of both so far as may be; but as soon as possible he shall arrange and deliver over to the absent secretary the papers belonging to his department, with a copy of records or orders as the case may be.

Records of the
society.

XXIV. The records of the society, and of the counsellors, shall be produced at every anniversary meeting of the society and placed by the secretaries in some convenient place for the inspection of such of the fellows as are desirous of consulting them; and at all other times, it shall be the duty of the several secretaries, to grant every reasonable indulgence to every fellow of this society, who may wish to examine the records.

Duties of the
treasurer.

XXV. The treasurer shall give security for the trust reposed in him, whenever the counsellors shall judge it to be requisite and the funds of the society will admit of a compensation for his services. He shall demand and receive all money due to the society, together with all bequests and donations; he shall if necessary sue for all fines and assessments due to the society: he shall under the direction of the counsellors, sell or lease any estate belonging to the society,

and execute the necessary papers: he shall in general have the care and management of the fiscal concerns of the society, and keep an accurate statement of all receipts and expenditures. He shall examine all accounts and charges against the society, and when he is satisfied that they are correct shall present them to the president; but he shall not pay any money out of the treasury without a written order from the president; he shall subject his accounts to such examination as the counsellors may order; he shall annually make a statement of his doings and of the state of the funds in his hands to the society; and he shall perform such other duties as may be assigned to him.

XXVI. The librarian shall have in his custody and charge, the books, museum, instruments, and apparatus of the society. He shall keep an accurate register of the same, and arrange them in a proper manner; shall make such disposal of them, from time to time, as the counsellors may direct for the benefit of the fellows. He shall make an annual statement of the business of his department to a committee, who shall report the same to the counsellors; and he shall carefully record all donations made in his department to the society. He shall distribute the publications of the society in such manner as the counsellors may direct;

Duties of librarian.

and he shall perform such other duties as may be assigned to him.

Resignation or
removal of of-
ficers.

XXVII. Any officer of the society may, for sufficient reasons, resign his office, or may be removed therefrom, by order of the counsellors, for neglect, inattention, or misconduct ; in either of which cases, or on the death of any officer, the counsellors shall supply the office vacated as soon as may be convenient.

Censors' meet-
ings in first
medical dis-
trict.

XXVIII. The censors shall hold their meetings for the examination of candidates for the practice of medicine and surgery as follows, viz.

Second medi-
cal district.

Third medical
district.

Fourth medi-
cal district.

Rules for the
meetings.

The censors of the society and of the first medical district, in Boston, on the Thursday next preceding the annual meeting of the society, and on the last Wednesdays in January and July ; the censors of the second medical district, in Worcester, on the Wednesday following the third Monday in June ; the censors of the third medical district, in Northampton, on the Wednesday following the third Tuesday in September ; the censors of the fourth medical district, in Pittsfield, on the day previous to the day of commencement of the Medical Institution in that place. At these meetings three censors shall constitute a quorum, and the senior censor present shall preside ; like-

wise these meetings may, any of them, be continued by adjournment, and if there be not three censors present, no vote shall be taken except on the question of adjournment.

XXIX. Every censor who shall neglect or refuse to attend any meeting, for the examination of candidates, of the board of censors to which he belongs, without offering an excuse which shall be satisfactory to those who do attend the same, shall pay to the secretary of the board a fine of ten dollars, to be paid over to the treasurer of the society for its use. Penalty for non-attendance.

XXX. The expenses incurred by any censor, while attending a meeting of the board to which he belongs, may, upon demand within one year after such a meeting, be paid by the treasurer of this society from the funds of the same, provided that not more than two dollars be paid to any censor for each day's attendance, and provided that the meeting be not held in the town where he resides. Payment of expenses of censors.

XXXI. It shall be the duty of every board of censors to appoint at their first meeting a secretary from their own body for the ensuing year. The duty of every secretary so appointed, shall be to keep a Secretary of Censors.

faithful record of the meeting and transactions of the board by which he is appointed; to give immediate notice to the corresponding secretary of the society of the organization of such board; to receive the fees for licenses, for which fees he shall be held accountable to the society; and likewise, at the termination of the year for which he shall be appointed, to transmit to the treasurer of the society the moneys he may have received as above, and to the corresponding secretary of the society a true copy of the records he may have made, in order that the same may be laid before the counsellors of the society.

Failure of duty in secretary of censors.

XXXII. If the secretary of any board of censors fail to comply with the preceding rule, it shall be the duty of the treasurer, or the corresponding secretary of the society, as the case may require, to call on such secretary by letter to comply with this law; and if the neglect continue, information of the same shall be laid before the counsellors by the treasurer or corresponding secretary, as the case may be; and the counsellors may then take such order for enforcing the by-law as the case may seem to them to demand.

Notice of meetings of censors.

XXXIII. The stated meetings of the censors shall be notified in the manner fol-

lowing, viz.: the secretary of each board shall advertise in two newspapers within the medical district to which he belongs, the time and place of each meeting of that board, one month at least before the day of such meeting. This duty will devolve on the person last appointed as secretary of the censors in each district, although the meeting to take place may be that of a board elected for the ensuing year, and although he be not a member of that new board.

XXXIV. Any person, who has received Qualifications of candidates. his medical education within this commonwealth, may be admitted to an examination Educated in this State. by any board of censors, provided he have the following qualifications, and not otherwise.

1. He shall be a person of sound mind, and of good moral character, shall have completed twenty-one years of age, and shall have such an acquaintance with the Latin language, as is necessary for a medical and surgical education, and with the principles of geometry and experimental philosophy.*

* It is understood that he be able to translate the select orations of Cicero, the *Æneid* of Virgil, or the medical writings of Celsus, and the formulæ of the Pharmacopœia of the United States; and that he have a knowledge of Euclid's, Playfair's, or Legendre's Elements of Geometry; and Bryan's Conversations on Experimental Philosophy, or Enfield's Elements of Natural Philosophy.

2. He shall have studied three full years under the direction, and attended the practice of some one or more of the fellows, or retired or honorary members of the society ; during which time he shall have studied the most approved authors on anatomy, chemistry, materia medica, midwifery, and the theory and practice of medicine and surgery ; or, at least, all those which the counsellors shall from time to time specify, as constituting a proper course of medical and surgical education.

Educated out
of this State.

XXXV. Any person who has received his medical education out of this commonwealth, may be admitted to an examination by any board of censors, provided he have the following qualifications, and not otherwise.

1. He shall have the qualifications first specified in the preceding by-law.

2. He shall have studied three full years under the direction, and attended the practice, of some respectable physician or physicians ; and shall have followed in his medical studies a course equivalent to that pointed out in the second of the preceding by-laws.

Modes of ap-
plication for
candidates.

XXXVI. Candidates for examination before any of the boards of censors shall, at or before one of the stated meetings of such

board, make application and give their names in writing to the secretary of such board ; and no candidate shall be examined, except at a stated meeting of the board to which he applies, or at the adjournment of the same. At every such meeting, the candidates shall be called upon in alphabetical order, and each candidate shall be examined separately and in private. In every case, the candidate for a license shall pay ^{Fee to be paid by them.} ten dollars, as the fee for the same, to the secretary of the board before which he presents himself, previous to any examination of his qualifications. In every case in which a candidate is refused a license, the fee so paid shall be immediately returned. When the license is granted in any case, the fee shall be retained by the secretary to whom it is paid, and shall be accounted for by him in the manner required in the by-laws.

XXXVII. In every examination the following course shall be pursued, viz. ^{Rules for examination.}

1st. The candidate shall be called upon for written testimonials of his having complied with the conditions required by the foregoing by-laws in respect to education, and it shall be especially inquired whether any portion of the time which he has professed to devote to his medical education, has been employed in keeping school, or in any other occupation ; and whenever it ap-

pears that a candidate has employed a portion of his time in keeping school, or in any other occupation, and at the same time has been studying medicine and surgery, and it is certified by his medical preceptor that he has diligently and assiduously employed the hours not devoted to his school in his professional studies, a part of the time so employed shall be allowed towards making up the time of such candidate's pupilage; that is to say, if the candidate has been engaged in a day-school for six hours in a day, one half the time so spent shall be allowed towards the time of the pupilage; and if a larger or smaller portion of time has been so employed, an allowance shall be made in proportion; only, that in all cases the last year of pupilage shall be entirely devoted to professional pursuits.

2nd. Before examining the candidate in the different branches of medical science, his knowledge of the Latin language, and the principles of geometry and experimental philosophy, shall be carefully inquired into, and fully ascertained. In every case, where the censors are not fully satisfied on the points here stated, the examination shall close, and letters of approbation and license shall be refused.

3d. In every case, where the censors are fully satisfied on the points above stated, the candidate shall next be called upon for a

list of the books he has read, and it shall be noticed whether this list includes the books required by the laws of the society, and if he has not read the books so required, the examination shall close, and not be resumed until he has read the same.

4th. The candidate, having passed through the preceding steps with approbation, shall next be examined in the following branches separately, viz. : anatomy, physiology, chemistry, materia medica, midwifery, and the theory and practice of medicine and of surgery ; and in addition, by such general inquiries as the censors examining may think proper.

5th. When the examination of the candidate has closed, he shall retire from the meeting of the censors and the chairman shall propose the following question, to which each censor present, including the chairman, shall answer yea or nay, viz. : Does the candidate who has now undergone examination appear qualified to practice medicine and surgery, and to take charge of the lives and health of his fellow-men ? If the major part of the censors present at his examination reply in the affirmative, he shall receive a letter of approbation and license ; if otherwise, such letter shall be refused him.

XXXVIII. The certificates or letters of Certificate of approbation and license.
 approbation and license for those who shall

be examined and approved by any board of censors, shall be in the form following, viz.

Commonwealth of Massachusetts.

We the subscribers, censors of the Massachusetts Medical Society, duly appointed and authorised, have examined A. B., of C., in the county of D., a candidate for the practice of physic and surgery ; and having found him qualified, do approve and license him as a practitioner in medicine, agreeably to the law in that case made and provided.

Dated at this day of
A. D. one thousand eight hun-
dred and

E. G.

H. I.

K. L.

By virtue of the power in me vested, I have hereunto affixed the seal of the Massachusetts Medical Society.

M. N. *President,*
Attest, O. P. *Recording Secretary.*

Or if the approved candidate should choose to have his credentials in Latin, they shall be in the form following, viz.

Societas Medica Massachusettensis.

Omnibus ad quos hæ literæ perveniant,
salutem.

Notum esto ; quod nos
 Censores, A. B. in C. comitatus D. in re-
 publica nostra, habitantem, de ratione et
 progressu ipsius studiorum in re medica ex-
 quisivimus ; et quod eum, ad omne munus
 facultatis paratum et instructum
 esse censemus: Nos, itaque merito, potesta-
 tes omnes ac privilegia exercendi,
 et profitendi, pro auctoritate nobis, legibus
 reipublicæ, concreditæ, damus ei, et concedi-
 mus. In cujus rei testimonium, nostrum
 nomina subsignavimus, apud die
 A. D. MDCCC .

E. F.

G. H.

I. K.

In quorum omnium et singulorum, fidem,
 ad presentes literas, sigillum Societatis ma-
 numque meum apposui.

L. M. PRÆSES.

Attestat, N. P.

XXXIX. When any candidate presents
 himself to the censors, who has been edu-
 cated out of this commonwealth, and offers
 testimonials to show that he has received a
 proper education, and undergone an exam-
 ination with success before some competent
 body, agreeably to the second section of the
 law of this commonwealth, passed February
 19, 1819, entitled, ‘an Act in addition to an

Candidates
 from abroad
 for license
 only.

act regulating the practice of physic and surgery,' the censors shall, after the payment of the fee as provided in the thirty-sixth by-law, institute an inquiry into all or any evidence which shall come before them, whether the candidate has actually received as good an education as is required by the by-laws of this society, and whether the practice of the body before whom such a candidate has been examined, has been such as to entitle their approbation to full respect; and, if the evidence be altogether favorable, such candidate shall be permitted to receive a letter of license; but, after examining the evidence in the case, if it do not appear that the education has been equal to that required by this society, the candidate shall be rejected; and if it do not appear that the body which examined the candidate is entitled to full respect, or if in any way the censors are doubtful as to his qualifications, they shall examine him themselves and decide upon the case, as if he had never been examined before; but in this case, it shall not be considered necessary that he should have studied with a fellow of this society, or read the books required by this society to be read by medical students.

Certificates of
license.

XL. The certificates or letters of license for such persons as are described in the preceding by-law, and are entitled to a license

in accordance to it, shall be in the form following, viz.

Commonwealth of Massachusetts.

We the subscribers, censors of the Massachusetts Medical Society, duly authorized, have examined the letters testimonial of
of in the county of
and having found them satisfactory, do hereby admit him to all the privileges of those who have been examined and approved by the censors.

*Dated at this day of
A. D. eighteen hundred and*

By virtue of the power in me vested, I have hereunto affixed the seal of the Massachusetts Medical Society.

President.

Attest, *Recording Secretary.*

XLI. Every application for the establishment of a district medical society shall be made in writing to the counsellors, stating the extent of territory intended to be comprehended by it, and the town or place where it is proposed that the meetings shall be held. Whenever the counsellors shall accede to such application, they shall forthwith cause a charter to be issued in the form following, viz.

DISTRICT
SOCIETIES.

Mode of application.

Commonwealth of Massachusetts.

Charter. [L. s.] By the Counsellors of the Massachusetts Medical Society.

To A, B, C, D, E, F, and Y. Z,
Fellows of the said Society, greeting.

Your application, made in due form, requesting that a district or subordinate Medical Society might be instituted, to consist of the fellows of the Massachusetts Medical Society residing in the following towns, in the of viz.

was duly considered, at a meeting of the counsellors held at _____ on the _____ day of _____ A. D. 18____, and it was thereupon voted that your request should be granted.

Be it therefore known, That pursuant to an act of the legislature of this commonwealth, entitled, ‘an Act in addition to an Act, entitled, an Act to incorporate certain persons by the name of the Massachusetts Medical Society,’ authorising the counsellors of said society thereunto, a district or subordinate society, by the name of _____ is hereby established, to consist of those fellows of the Massachusetts Medical Society, now resident within the limits aforesaid, for the purpose of electing officers, and transacting such other business, as they shall deem expedient.

In testimony whereof, the president, pursuant to the aforesaid vote of the counsellors, has hereunto subscribed his name, and affixed the seal of the corporation at this day of A. D. 18 .

M. M. *President.*

Attest, N. P. *Recording Secretary.*

XLII. In every district medical society Officers of district medical society. there shall be annually elected a president, secretary, treasurer and librarian, and such other officers as such society may see fit. The officers of each district society shall Their duties. examine all communications made to that society, and shall direct the secretary thereof to transmit to the corresponding secretary of the society, such communications, or a copy thereof, or extracts therefrom, as they shall judge to be deserving the inspection of the counsellors.

The secretary of each district society shall, immediately after the election of officers in each year, transmit a list of the officers chosen to the corresponding secretary ; he shall have custody of all communications made to that society, and shall keep a fair record of their proceedings ; an account of which he shall annually transmit to the corresponding secretary of this society. He shall from time to time transmit to the said corresponding secretary, all such communications as the officers of his district society shall deem

to be deserving the consideration of the counsellors. If the secretary of any district society fail to transmit information as above directed, in a reasonable time, it shall be the duty of the corresponding secretary of this society to call on such secretary by letter to conform to this by-law.

Counsellors
may extend
limits of dis-
trict societies.

XLIII. The counsellors shall be authorised, upon the application of all the fellows residing in any town, not included in the limits of any district society, to annex such town to the district to which it is adjoining, provided the addition so made receive the concurrence of the said district society, to be expressed by a vote passed at a regular meeting of that society.

Privileges of
district socie-
ties.

XLIV. Every district society that shall agree by vote to that effect, to distribute to its members the publications of this society, and to collect so far as may be practicable the assessments of its members and pay over the same to the treasurer, shall, so long as such agreement is punctually performed, receive one third part of the amount so collected, to be appropriated for a library to belong to such district society,—subject to the following conditions, designed to ensure the prompt collection and payment as aforesaid.

1. The treasurer of this society shall, in the first week of May annually, transmit to

the treasurer of such district society a list of all assessments which will be due from the members of said district society on the last Wednesday of said month, with authority to collect the same, and shall charge the same to him.

2. The treasurer of the district society shall collect the assessments within his district, as soon as may be after the annual meeting; and if any remain unpaid after the first day of January following, he shall report the same as delinquent to the treasurer of this society, who shall take prompt measures to enforce payment thereof; unless there shall in his judgment be sufficient reason for referring the case of any delinquent fellow to the counsellors. No part of any sums thus collected by the treasurer of this society shall accrue to the district society.

3. The treasurer of the district society shall, on or before the first day of February, make a full return to the treasurer of this society, of all the assessments charged on his list, with the condition of each, whether paid or unpaid; and also transmit two-thirds of the amount collected by him. And such return and remittance shall be a full discharge of the demand created by the charge required in the first article of this by-law. In case any district treasurer shall neglect to make his return as herein provided, he

shall be liable to be proceeded against according to law, for the whole amount of assessments charged to him on his list, provided the same do not exceed the sum which this society is authorised to fix as a penalty for a breach of its by-laws ; and if it should exceed that sum, he may be proceeded against for that sum only.

XLV. Every district society which shall agree to distribute the publications, and collect the assessments, as provided in the preceding by-law, shall be entitled to receive not exceeding sixty volumes, to be designated by the counsellors, from the library of this society, to be deposited as a loan with the library of such district society, and used as a part thereof, but to remain the property of this society, and liable to be recalled at any time whenever the counsellors shall deem it necessary or expedient.

Neglect of district societies.

XLVI. If any district society, which shall have agreed as aforesaid, shall refuse or grossly neglect to comply with the conditions of said agreement, it shall be the duty of the counsellors to recall all the privileges granted in pursuance thereof, and to direct the treasurer to collect the assessments of its members in the same manner as those of other fellows are collected.

XLVII. The fellows of this society, ^{LIBRARY.} excepting such as are members of a district society, to which books are loaned, shall be ^{Use of by fellows.} entitled to the use of any books remaining in the society's library, on a personal or written application therefor to the librarian, and giving him a receipt for the same. And it shall be the duty of the librarian to keep a record of the delivery and receipt of such books, and the dates of the same.

XLVIII. Every fellow shall be allowed ^{Time allowed for detention.} to retain a book from the library one year and no longer: after the expiration of which time, if he neglect or refuse to return it, he shall pay a fine of twenty-five cents a week on each book, during the period any book or books shall be detained, and shall be deprived of any further use of the library until this is done. If any book in the possession ^{Penalty for injury.} of a fellow shall be injured, it shall be completely repaired or replaced by him.

XLIX. Any fellow of the society may ^{Number of books to be taken.} have one folio, two quartos, or three of a smaller size; but no more at any one time.

L. The librarian shall cause each book ^{Labels on books.} belonging to the library to be marked on the inside cover with the arms of the society, and underneath, the following words: 'Property of the Massachusetts Medical

Society,' or 'Gift of A. B. to the Massachusetts Medical Society,' as the case may be.

Sub-librarian. **LI.** The librarian may appoint a sub-librarian for the delivery and receipt of books; and no person shall be allowed to take any book from the library, excepting in the presence of the librarian or sub-librarian.

Course to be taken when a book sent for is out. **LII.** When a fellow of the society applies for a book which is out, he may leave a written application for it with the librarian, who shall retain the book, after its return to the library, thirty days, for the person so applying for it.

Admission to fellowship. **LIII.** Any licentiate of this society, or doctor of medicine of Harvard University, or of the Berkshire Medical Institution, may obtain admission as a fellow into this society, as provided in the laws of the commonwealth, by either of the methods following, viz. :

By application to the corresponding secretary. **1.** He may apply to the corresponding secretary of this society, and after exhibiting his letter of license, or his diploma, as the case may be, he may subscribe a printed copy of the by-laws, to be kept by the corresponding secretary for that purpose; and the corresponding secretary shall then give

to him a certificate that he is entitled to a diploma of his fellowship. Such a diploma shall be furnished to him by the recording secretary, on the presentation of this certificate: or,

2. He may apply to any counsellor of this society, when at a distance from the corresponding secretary, and present to the same his letter of license or diploma, as the case may be, and subscribe a printed copy of the by-laws belonging to such counsellor; whereupon the counsellor shall give to the applicant a certificate of the transaction, specifying the date of the license or diploma exhibited; this certificate shall be transmitted by the applicant, at his own expense, to the corresponding secretary, who shall then proceed as if the applicant had signed the copy of the by-laws kept by himself, and who shall likewise insert the name of the applicant on the copy, with the name of the counsellor concerned in the transaction;

Provided, That every applicant under this law shall satisfy the person to whom he applies for the signature of the by-laws, that he maintains a good moral character before he is permitted to sign the same.

LIV. The evidence of a good moral character, in the case referred to in the next preceding by-law, shall be a certificate from some known and respectable person ac-

Or to a counsellor.

Provision as to moral character.

Evidence of moral character.

quainted with the applicant, except when he is known to the secretary or counsellor to whom he applies, in which case such officer may act on his own knowledge.

Duties of counsellors in the admission of fellows.

LV. It shall be the duty of every counsellor to keep a copy of the by-laws ready for subscription, and to act in conformity with the by-laws next preceding; and in case any counsellor certifies falsely in respect to an applicant to him for signature, he shall, on conviction, be liable to expulsion from the society.

Neglect of obtaining admission as a fellow.

LVI. If any licentiate of this society, or Doctor of Medicine, graduated either at Harvard University or at the Berkshire Medical Institution, shall neglect to obtain admission as a fellow of this society according to the method of the 53d by-law, for one year after he is entitled to the same, he shall be deemed an irregular practitioner: nor shall he afterward be admitted as a fellow of the society unless he make a representation of his case in writing to the counsellors, and satisfy them that he has had good reasons for not pursuing the steps necessary for his admission as a fellow, within the time above specified. In every such case, the counsellors shall decide by vote whether the reasons are, or are not, satisfactory, and the result shall be communicated to

the applicant by the corresponding secretary ; whereupon, if the result be favorable to the applicant, and he sign the by-laws, according to the 53d by-law, within three months, he shall be admitted as a fellow, and not otherwise.

Form of Subscription.

The subscribers agree to comply with the by-laws of the **Massachusetts Medical Society.**

ORDERS.

1. On the day of the annual meeting of the fellows of the society, a dinner shall be provided, under the direction of the president, at the expense of the society, for such fellows as attend the meeting.

2. An invitation to this dinner shall be given to such professional strangers, as the president shall think proper to notice in this manner.

3. At the meetings of the fellows and counsellors of the society, the president shall not leave the chair, unless on some urgent occasion, nor speak to any question, without first obtaining permission.

4. When any fellow shall speak in a debate, he shall rise and address himself to the president.

5. If a fellow has spoken once in any debate, he shall not speak to the prevention of another, who has not spoken, and manifests a desire to speak.

6. Every fellow, as soon as he has done speaking, shall sit down.

7. A fellow shall not interrupt another while speaking, unless to call him to order, or to correct a mistake.

8. A fellow shall not speak on any subject after the question is put.

9. A motion shall not be considered unless seconded.

10. A fellow shall not nominate more than one person for the same committee, provided the first person nominated by him be chosen.

11. A vote shall not be re-considered, at the same meeting, by a smaller number than were present at its passing.

12. Literary gentlemen, interested in medical science, and students in medicine, shall be publicly invited to hear the annual discourse.

13. All printed publications shall be in the form of octavo.

14. The names of all those who have become fellows or licentiates, during the preceding year, shall be annually published in the appendix to the publication of the society.

15. The qualifications of candidates for examination and license, shall be made public, at least once in a year, by the recording secretary, in such manner as he shall judge expedient.

16. The recording secretary shall supply to the several boards of censors, from time to time, as they may call for them respectively, blank certificates testimonial of approbation and license, and also blank certificates testimonial of license, with the signature of the president and his own, and with the seal of the society duly affixed. He shall keep an account of all certificates so furnished, and the several boards shall account by their secretary, at the end of every

year, for such certificates, to the recording secretary, who shall thereupon transmit to the treasurer an account of the fees for licenses, for which each board is responsible.

17. The recording secretary shall always keep printed copies of the methods to be pursued by licentiates of this society, and by doctors of medicine of Harvard University, and of the Berkshire Medical Institution, who wish to be admitted as fellows of this society. He shall furnish, from time to time, such copies as may be wanted by the several boards of censors, and by the medical faculty of Harvard University and of the Berkshire Medical Institution; in order that every licentiate of this society, and every medical graduate of Harvard University and of the Berkshire Medical Institution, shall be furnished with one of the said copies.

RULES AND ORDERS

OF THE

COUNSELLORS.

1. The recording secretary shall publish within one week after the annual meeting, the list of counsellors and other officers elected for each year respectively, in two newspapers printed in Boston; and if any fellow be elected to office by the counsellors in his absence, the recording secretary shall give him special information of his election; and the expense incurred in pursuance of this order, shall be defrayed by the society.

2. At the meetings of the counsellors, all nominations of the committees shall be made by the president, unless otherwise ordered.

3. Two standing committees shall be elected at the first meeting of the counsellors, viz.: the committee on publications, and the committee on resignations.

4. At the third stated meeting of the counsellors, there shall be chosen a committee to examine the treasurer's accounts on the week preceding the annual meeting, and a committee to examine the library and cabinet ; both of which committees shall make their reports to the society at their annual meeting.

5. The nomination of candidates for fellowship shall be made in the form following :

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The subscriber nominates to the counsellors of the Massachusetts Medical Society, A. B, of C. for admission as a fellow.

He was educated by D., has been in practice years, and has a respectable standing in the profession.

E. F.

6. No nomination shall be acted upon, unless the candidate for fellowship has been in practice ten years ; except that when the case is represented to be extraordinary, the following course shall be pursued, viz. :

First. The circumstances of the case shall be stated in writing, at the time of nomination, with the signature of the fellow or fellows who vouch for the facts.

Second. At the next stated meeting of the counsellors, it shall be decided, by a majority of the votes, whether the person so nominated, shall be balloted for at a subsequent meeting. If the decision be in the negative, the same nomination shall not be

called up again; but if the decision be in the affirmative, then

Third. At the next stated meeting, a second vote shall be taken on the question, whether the candidate under consideration shall be balloted for, and the decision shall then be final.

7. No candidate for election as a fellow of this society shall be finally balloted for by the counsellors at any meeting except at the first stated meeting of the counsellors; unless there be present at the time of balloting at least one counsellor from the county where the candidate resides, or there be furnished a written recommendation that he be elected, from a counsellor of the same county.

8. Resignation of fellowship may be permitted in the following cases, viz.

First. When the applicant has discontinued altogether his practice as physician and surgeon.

Second. When the applicant states, that his health has been such as to prevent his engaging in his professional pursuits for a year or more; and he has not a reasonable prospect of being able to resume them.

Third. When the applicant states that he has passed his sixtieth year.

F E L L O W S

OF THE

MASSACHUSETTS MEDICAL SOCIETY.

*Nathaniel W. Appleton,	<i>Boston</i>
*Israel Atherton,	<i>Lancaster</i>
*Samuel Adams,	<i>Boston</i>
*Nathaniel Ames,	<i>Dedham</i>
Samuel Adams,	<i>Boston</i>
*Israel Allen,	<i>Sterling</i>
*Benjamin Adams,	<i>Lynnfield</i>
*Peter Adams,	<i>Stoughton</i>
*William Aspinwall, jr.	<i>Brookline</i>
†Silas Allen,	<i>Leominster</i>
*Luther Allen,	<i>Sterling</i>
Ebenezer Alden,	<i>Randolph</i>
Ebenezer Ames,	<i>East Sudbury</i>
†Jason Ayers,	<i>Truro</i>
Willard Arms,	<i>Northfield</i>
Benjamin Austin,	<i>Newton</i>
*Helaz Alvord,	<i>Montague</i>
John Andrews,	<i>Wendell</i>
Zabdiel B. Adams,	<i>Boston</i>
Edwin Adams,	<i>Boston</i>
Samuel Alden,	<i>Bridgewater</i>
Horatio Adams,	<i>Waltham</i>
John Atkinson,	<i>Newburyport</i>
John Appleton,	<i>Gloucester</i>
Benjamin Atkinson,	<i>Amesbury</i>
Andrew Alexander,	<i>Boston</i>
Joseph C. Ayer,	<i>Boston</i>
Frederick Allen,	<i>West Roxbury</i>

* Dead.

† Retired.

‡ Removed out of the Commonwealth.

*William Baylies,
 *James Brickett,
 *Joshua Barker,
 *JOHN BROOKS,
 *Josiah Bartlett,
 John Bartlett,
 *Thomas Babbitt,
 *Hugo Burghardt,
 *Nathaniel Bradstreet,
 *Samuel Brown,
 †Amos Bancroft,
 †William Buel,
 *Oliver Brewster,
 *Peter Bryant,
 Jesse Bigelow,
 *Asa Bullard,
 †Gideon Barstow,
 George Bates,
 *Horace Bean,
 Josiah Bachelder,
 Stephen Bachelder,
 *Philip Bryant,
 Calvin Briggs,
 †Benjamin Billings,
 Thomas Bucklin,
 *Asa Burbank,
 Nathaniel Bemis,
 *Anson Bates,
 *Eliot Beckworth,
 *Henry Bagg,
 Jacob Bigelow,
 John B. Brown,
 *Asa Buckman,
 *Samuel Barstow,
 †Asahel Bennett,
 Erastus Beach,
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 Ephraim Buck,
 Stephen Bates,
 Parley Barton,
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 †Ira Bryant,
 Williams Bradford,
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 Litchfield, Conn.
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 Granville
 Boston
 Salem
 Boston
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 Provincetown
 Royalston
 Bridgewater
 Marblehead
 Mansfield
 Hopkinton
 Albany, N. Y.
 Watertown
 Barre
 Hardwick
 Princeton
 Boston
 Boston
 Boston
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 Auburn, N. Y.
 Sandisfield
 Sutton
 Boston
 Greenfield
 Orange
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 Plymouth

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 John Brooks,
 Benjamin Barrett,
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 Sewall G. Burnap,
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 Albert Jones Bellows,
 George Bartlett,
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 William B. Brown,
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 Jonathan W. Bemis,
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